

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 056-10 4119 SAN MARTIN WAY MODIFICATION NOVEMBER 3, 2010

APPLICATION OF RAIN & DANA LONGO, AGENT FOR HLINKA TRUST, 4119 SAN MARTIN WAY, APN 059-212-037, R-2 TWO-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2010-00272)

The 5,914 square foot vacant project site is located on the corner of San Martin Way and Verano Drive. Proposed development is a two-story, 1,912 square foot single-family modular residence with an attached, two-car, 400 square foot garage.

The discretionary applications required for this project are <u>Modifications</u> to allow less than the minimum dimension for the required open yard area and to provide a portion of the open yard in the front setback and front yard (SBMC §28.18.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 & 15305.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared either to speak in favor of or in opposition thereto, and the following exhibits were presented for the record.

- 1. Staff Report with Attachments, October 27, 2010.
- 2. Site Plans
- 3. Correspondence received in opposition to the project:
 - a. Paula Westbury, P.O. Box 1201, Santa Barbara, CA 93102.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application making the following findings and determinations:

The Staff Hearing Officer finds that the proposed Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The lot is constrained by its location on a corner and relatively small size and width, which makes it difficult to provide an open yard area that both meets the Ordinance requirements and results in an attractive building shape and massing. The proposed Modifications will allow a minor reduction of the required 20-foot minimum dimension without reducing its usability as an outdoor living space, and allows the portion of the front yard to provide the remainder of the open yard area. The resulting development provides adequate outdoor and visual open space, and a footprint consistent with surrounding development.

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II. Said approval is subject to the condition that the location of the approved open yard shall be shown on any plans submitted for a building permit.

This motion was passed and adopted on the 3rd day of November, 2010 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Kathleen Goo, Staff Hearing Officer Secretary

Date

11/08/10

PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 4. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 5. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.